

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
April 9, 2015

Closed Session: Yes

Call to Order: 9:03 a.m.

Opening Ceremony: Beatrice Law

Council Present: Secretary Julia Shananaquet, Treasurer Marcella Reyes,
Councilor Bill A. Denemy, Councilor Beatrice A. Law, Councilor Naganashe,
Councilor Aaron Otto

Absent: Councilor John Keshick, Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick,
Enjinaaknegeng General Counsel James Bransky, Legislative Office Manager
Michele LaCount, Administrative Assistant Tamara Kiogima

Executive Officials and Staff Present: Chairperson Gasco Bentley, Elder's
Department Director Arlene Naganashe, Regulatory Director Vince Cook

Public: Doug Emery, David Dominic

Invited Guests: Odawa Casino Resort General Manager Eric McLester, Finance
Director Roger Borton

Motion made by Councilor Denemy and supported by Councilor Law to adopt the
agenda of April 9, 2015 as amended.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Keshick, Councilor
Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve
the minutes of the Regular Meeting held on March 19, 2015, as corrected.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Keshick, Councilor
Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Treasurer Reyes to approve
the minutes of the Special Meeting held on March 27, 2015, as presented.

Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Keshick, Councilor
Wemigwase)

1 Motion carried.

2
3
4 **9:00 a.m.** Odawa Casino Resort Presentation by General Manager Eric
5 McLester

6
7 **9:20 a.m.** Motion made by Councilor Law and supported by Treasurer Reyes to
8 go into closed session for confidential business matters.

9 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Keshick, Councilor
10 Wemigwase)

11 Motion carried.

12
13 **9:33 a.m.** Motion made by Treasurer Reyes and supported by Councilor Denemy
14 to return to open session.

15 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Keshick, Councilor
16 Wemigwase)

17 Motion carried.

18
19 Motion made by Secretary Shananaquet and supported by Councilor Law to
20 acknowledge Odawa Casino Resort presentation as presented by General
21 Manager Eric McLester.

22 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Keshick, Councilor
23 Wemigwase)

24 Motion carried.

25
26 Motion made by Councilor Law and supported by Treasurer Reyes to approve
27 Gaming Regulatory Commission Regulations REG-Waganakising Odawak
28 Statute 2011-005 -040915-014.

29 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Keshick, Councilor
30 Wemigwase)

31 Motion carried.

32
33 **9:41 a.m.: Elder comments**

- 34 • Elder Citizen Doug Emery voiced his concern regarding the Elder
35 Luncheon.
- 36 • Elder Citizen David Dominick spoke of need to find out what the citizens
37 really want and need. Need to have a sense of community.
- 38 • Elder Citizen and Elder's Department Director Arlene Naganashe reported
39 her review of grants and the need to be in compliance.
- 40 • Elder Citizen Bill A. Denemy voiced his concern of misinformation and the
41 effect of politics during luncheons.
- 42 • Elder Citizen Beatrice Law also voiced her concern with the
43 misinformation being presented at the luncheons
- 44 • Elder Citizen Albert Colby, Jr., suggested respectful open forums at the
45 Elder luncheons and Elder's exercising their overall voting rights.

46
47 **10:23 a.m. Break**

1 **10:36 a.m. Resume**

2
3 **Executive Updates -**

4 Discussion: Location movement of Elder luncheon, Handout of Luncheon
5 Statistics, Issues with the Title 6 A and C – AOA Grant, Need for additional
6 money for Elder dental, update on missing POW/MIA flag, increased cost of the
7 addition to the government complex (Archives and Records), Environmental
8 Assistance given in Mackinaw area spill, plan for cap-ex funds, swipe card
9 system close to implementation, Health Department close to rolling out the
10 Veterans billing system, Requested a date for the Housing Tax Credit Training
11 (tentative date of May 18, 015), and a thank you notice article for the Tribe from
12 Petoskey News Review regarding road repairs.

13
14 Motion made by Councilor Law and supported by Secretary Shananaquet to
15 acknowledge the verbal Executive report of Chairperson Gasco-Bentley as
16 presented on April 9, 2015, with additional input from Elder's Director Naganashe
17 and Tribal Administrator Colby.

18 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Keshick, Councilor
19 Wemigwase)

20 Motion carried.

21
22 **Legislative Leader Report -** Position is currently vacant.

23
24 **Secretary Report:**

25 The following Tribal Council adopted/approved documents were delivered to the
26 Executive for signature:

- 27
28 • Waganakising Odawak Statute 2015-004 Amendment to Waganakising
29 Odawak Statute #2008-006 Enrollment for Citizenship Statute.
30 Signed on 03/19/15.
- 31
32 • Waganakising Odawak Statute 2015-006 Amendment to Waganakising
33 Odawak Statute #2012-010 Child Protection Statute.
34 Signed on 03/19/15
- 35
36 • Tribal Resolution #030515-01-Decommision and Safe Removal of Pipeline
37 Running under the Straits of Mackinac.
38 Signed on 03/19/15.
- 39
40 • Waganakising Odawak Statute Tribal Human Resources Department
41 Statute. Signed on 04/08/15.
- 42
43 • Tribal Resolution #031915-01-Funding for Email Archival Server for Legal
44 and the Reservation Restoration Plan in the amount of \$8,235.00 to come
45 from prior period funds.
46 Signed on 03/20/15.
- 47

1 **Veto:** None

2
3 **Phone Polls:** The following phone polls were conducted on the following dates:

- 4
- 5 • 03/20/15: Motion to approve Councilor Keshick to participate in the Red
6 Cliff, Wisconsin and Bayfield, Minnesota Section 8, tax credit housing April
7 6 – 9, 2015.
8 Vote: 6-Yes, 2-No, (Secretary Shananaquet, Councilor Law) 0-Abstained,
9 0-Absent
 - 10
11 • 03/26/15: Motion to approve Certified Motion #032615-01 Request for
12 Funding from the U.S. Department of Agriculture, Natural Resources
13 Conservation Service; Environmental Quality Incentives Program (EQIP)
14 for Ziibimijwang, Inc.
15 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent

16
17 Motion made by Councilor Denemy and supported by Treasurer Reyes to accept
18 Secretary Shananaquet's report as presented on April 9, 2015.

19 Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Keshick, Councilor
20 Wemigwase)

21 Motion carried.

22
23 **Treasurer Report:**

24 Motion made by Secretary Shananaquet and supported by Councilor Naganashe
25 to accept the Treasurer's report as presented by Treasurer Reyes on April 9,
26 2015.

27 Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Keshick, Councilor
28 Wemigwase)

29 Motion carried.

30
31 **Tribal Council Travel Reports:** - No travel reports given.

32
33 **Tribal Council Committee Reports:**

34
35 **Gaming Authority Committee**

36 Motion made by Councilor Law and supported by Councilor Naganashe to accept
37 the verbal report of the Gaming Authority Committee as presented by Councilor
38 Otto, Committee Chairman.

39 Vote: 6-Yes, 0-No, 0-Abstained, 2-Absent (Councilor Keshick, Councilor
40 Wemigwase)

41 Motion carried.

42
43 **Agriculture Assessment Work Group**

44 Motion made by Councilor Denemy and supported by Councilor Naganashe to
45 accept the verbal report of the Agriculture Assessment Work Group as presented
46 by Treasurer Reyes, Committee member.

1 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Keshick, Councilor
2 Wemigwase)
3 Motion carried.
4

5 **11:45 Public Comment opened**

- 6 • Citizen Andrew Stich suggested that the Ethics Committee consist of
7 different aged citizens. Also inquired into Casino consultant and the
8 Gaming Enterprise Board. Requested that the various Boards and
9 Charters post their meeting dates. Questioned the status of outstanding
10 investigation.

11 **11:47 a.m. Public Comment closed**
12

13 **Land and Reservation Committee** – No meeting to report
14

15 **Legal Legislative Committee**

16 Motion made by Secretary Shananaquet and supported by Councilor Denemy to
17 accept the verbal report of the Legal Legislative Committee as presented by
18 Councilor Law, Committee Chairman.

19 Vote: 6-Yes, 0-No, 0-Abstained, 2–Absent (Councilor Keshick, Councilor
20 Wemigwase)
21 Motion carried.
22

23 **Ethics Committee** – No meeting to report
24

25 **11:52 a.m. Lunch Break**

26 **1:30 p.m. Meeting Resumes**
27

28 Councilor Keshick arrived

29 Councilor Wemigwase arrived
30

31 **Tribal Council Member Reports:**

32 Motion made by Councilor Law and supported by Treasurer Reyes to
33 acknowledge receipt of Councilor Wemigwase report regarding the Rehmann
34 Forensic Audit.

35 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent
36 Motion carried.
37

38 **Legislative Office Reports:**
39

40 **Sr. Financial Analyst Report**

41 Motion made by Councilor Wemigwase and supported by Councilor Law to
42 accept Sr. Financial Analyst Stella Kay's verbal and written report as presented
43 on April 9, 2015.

44 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent
45 Motion carried.
46

47 **Legislative Services Attorney Report**

1
2 1:42 p.m. Motion made by Councilor Wemigwase and supported by Councilor
3 Otto to go into closed session for legal matters.

4 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

5 Motion carried.

6
7 2:18 p.m. Motion made by Councilor Wemigwase and supported by Treasurer
8 Reyes to return to open session.

9 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

10 Motion carried.

11
12 Motion made by Councilor Keshick and supported by Councilor Wemigwase to
13 accept Legislative Services Attorney Budnick's verbal and written report as
14 presented on April 9, 2015.

15 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

16 Motion carried.

17
18 **Enjinaaknegeng**

19 Motion made by Councilor Wemigwase and supported by Councilor Law to
20 accept General Counsel Bransky's verbal and written report as presented on
21 April 9, 2015.

22 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

23 Motion carried.

24
25 Motion made by Councilor Wemigwase and supported by Treasurer Reyes to
26 authorize General Counsel Bransky to send correspondence dated April 9, 2015
27 to Kevin Washburn, Assistant Secretary Indian Affairs.

28 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

29 Motion carried.

30
31 **Legislative Office Manager**

32 Motion made by Treasurer Reyes and supported by Councilor Wemigwase to
33 accept Legislative Office Manager LaCount's verbal and written report as
34 presented on April 9, 2015.

35 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

36 Motion carried.

37
38 **2:39 p.m. Break**

39 **2:52 p.m. Resume**

40
41 **Action Items - Motions**

42 Motion made by Councilor Wemigwase and supported by Councilor Law to
43 approve Tribal Council attendance at the National Congress of American Indians
44 Saint Paul Minnesota June 28-July 1, 2015 Mid-Year Conference and San Diego
45 California October 18-23, 2015 Annual Convention.

46 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

47 Motion carried.

1
2 Motion made by Councilor Law and supported by Treasurer Reyes to accept the
3 nomination of Catherine Castagne for Tribal Prosecutor and set up an interview
4 pending a back ground investigation.

5 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

6 Motion carried.

7
8 Motion made by Councilor Wemigwase and supported by Treasurer Reyes to
9 acknowledge receipt of the Tribal Historic Preservation Officer 2015 1st Quarter
10 Report.

11 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

12 Motion carried.

13
14 Motion made by Councilor Wemigwase and supported by Treasurer Reyes to
15 approve Enrollment List C Voluntary Relinquishment dated April 6, 2015 for a
16 total of 1.

17 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

18 Motion carried.

19
20 Motion made by Councilor Law and supported by Councilor Wemigwase to
21 approve the Little Traverse Bay Bands of Odawa Indians May 2014-April 2015
22 Annual Report as presented by Legislative Services Attorney Donna Budnick.

23 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

24 Motion carried.

25
26 Motion made by Treasurer Reyes and supported by Councilor Wemigwase to
27 acknowledge receipt of, and record Declaration 040915-01 Statement of Support
28 of a Public Forum on Hydraulic Fracturing.

29 Vote: 8-Yes, 0-No, 0-Abstained, 0–Absent

30 Motion carried.

31
32 Motion made by Treasurer Reyes and supported by Councilor Keshick to
33 acknowledge receipt of and record Declaration 040915-02 Statement in Support
34 of Removal of Black River Dams.

35 Motion withdrawn.

36
37 **Action Items: Roll Call Votes**

38 Motion made by Councilor Wemigwase and supported by Councilor Law to adopt
39 Tribal Resolution: Ad-hoc Violence Against Woman Act/Tribal Law and Order Act
40 Committee.

41 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,
42 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes,
43 Treasurer Reyes-yes, Secretary Shananaquet-yes

44 Motion carried.

45
46 Motion made by Councilor Keshick and supported by Councilor Wemigwase to
47 adopt Tribal Resolution: Approval to Amend the FY 2015 Gaming Authority

1 Committee Budget for the Final Payment of the Steve Simon Analyst Contract in
2 the amount of \$13,500.00.

3 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,
4 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes,
5 Treasurer Reyes-yes, Secretary Shananaquet-no
6 Motion carried.

7
8 Motion made by Councilor Law and supported by Councilor Wemigwase to adopt
9 Tribal Resolution: Supplemental Funding in the Amount of \$120,000.00 for the
10 Legislative Branch FY2015 Budget for purchase of parcel 84; "608 Second
11 Street" property.

12 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,
13 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes,
14 Treasurer Reyes-yes, Secretary Shananaquet-yes
15 Motion carried.

16
17 Motion made by Councilor Law and supported by Treasurer Reyes to adopt
18 Tribal Resolution: Initiation of Dispute under Section VI.C.3 of the Chippewa
19 Ottawa Resource Authority (CORA) Charter in regards to the Great Lakes
20 Resources Committee (GLRC) action taken on March 19, 2015 to restrict LTBB's
21 ability to exercise Great Lakes Fishing Treaty Rights.

22 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,
23 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-yes,
24 Treasurer Reyes-yes, Secretary Shananaquet-yes
25 Motion carried.

26 27 **Other Items of Business**

28
29 3:38 p.m. Motion made by Treasurer Reyes and supported by Councilor Law to
30 go into closed session for personnel.

31 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
32 Motion carried.

33
34 4:29 p.m. Motion made by Councilor Law and supported by Councilor
35 Wemigwase to return to open session.

36 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
37 Motion carried.

38 39 **Adjournment**

40 4:30 p.m. Motion made by Councilor Denemy and supported by Councilor
41 Wemigwase to adjourn meeting.

42 Vote: 8-Yes, 0-No, 0-Abstained, 0-Absent
43 Motion carried.

44
45 **Next Scheduled Meeting**
46 **April 23, 2015**
47

1 Please contact the Legislative Office at 231-242-1403 or 231-242-1404 for
2 additional updates and clarifications of these minutes as presented.

3
4 These Minutes have been read and approved as written (or) corrected: (delete
5 either the word "written" or "corrected" as pertains to how the minutes were
6 approved.)
7
8
9

10 _____
11 Julia A. Shananaquet, Tribal Council Secretary

Date